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Docket No. CDS-215

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Randy K. Bower et al.

Serial No.: 09/482,599

Art Unit: 1743

Filed

: January 13, 2000

Examiner: P.K. Bex

For

: FAILURE DETECTION IN AUTOMATED CLINICAL ANALYZERS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

ju/23/03 (Date of Deposit)

Todd J. Burns (Mame of applicant, assignee, or Registered Representative)

(Signa

10/23/03

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on April 3, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

☐ In accordance with \$1.129(a), this Information

Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with \$1.97(e) (attached);

or

Please charge Deposit Account No. 100750/ / the fee of \$180.00 as set forth in \$1.17(p).

☐ In accordance with §1.97(c), this Information

Disclosure Statement is being filed after the period set forth

in §1.97(b) above but before the mailing date of either a Final

Action under §1.113 or a Notice of Allowance under §1.311, or an

action that otherwise closes prosecution and that it is

accompanied by one of:

	$\boxtimes$	Statement in Accordance with §1.97(e)
		(attached); or
		Please charge Deposit Account No. 10-
		0750/ / the fee of \$180.00 as set forth
		in §1.17(p).
П	In a	ccordance with §1.97(d), this Information
Disclosure		tement is being filed after the mailing date of
		Action under §1.113 or a Notice of Allowance
		out before the payment of the Issue Fee.
		ereby petition(s) for consideration of this
		sclosure Statement. Included are: Statement in
Accordance	with	n §1.97(e) as set forth below and the fee of
\$180.00 as	set	forth in §1.17(p).
$\boxtimes$	Copie	es of each of the references listed on the
attached F	orm I	PTO-1449 are enclosed herewith.
	Coni	es of references listed on the attached Form PTO
ப 1449 are e	_	sed herewith EXCEPT THAT:
1117 010		
		In view of the voluminous nature of references
		[list as appropriate], and the likelihood that
		these references are available to the Examiner,
		copies are not enclosed herewith.
		If any of the foregoing publications are not
		available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
$\bowtie$	Ther	e are no listed references which are not in the
ഥ English la		
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The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CDS-215/TJB. This form is submitted in triplicate.

Respectfully submitted,

Todd 5. Burns

Reg. No. 38,011

Attorney for Applicants

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PTC/SB/08A (08-00)
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

a collection of information unless it displays	
Applicati n Number	09/482,599
Filing Dat	January 13, 2000
First Named Inventor	Randy K. Bower et al.
Group Art Unit	1743
Examiner Name	P.K. Bex
Attorney Docket Number	CDS-215

U.S. PATENT DOCUMENTS								
Examiner Initials	Cite No.1	U.S. Patent Document  Kind Code <sup>2</sup> Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear		
		5,005,434	Α	Yoshio Watanabe et al.	04-09-1991			
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#### FOREIGN PATENT DOCUMENTS Pages, Columns, Lines. Foreign Patent Document Date of Publication of Cited Document where relevant Name of Patentee or Examiner mm-dd-yyyy T٥ Applicant of Cited Document Initials KindCode5 figures appear Office<sup>3</sup> Number<sup>4</sup> No.1 EΡ 0 506 022 Α Kabushiki Kaisha Toshiba 09-30-1992 0 866 336 Α EP Precision System Science Co. Ltd. 09-23-1998 ΕP 0 527 059 Α 02-10-1993 Toa Medical Electronics

Examiner	Date	
	Daic	
Signature	Considered	

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature

## SUBMISSION UNDER MPEP 609 D

Application Number09/482,599Filing DateJanuary 13, 2000First Named InventorRandy Bower et al.Group Art Unit1743Examiner NameP.K. BexAttorney Docket NumberCDS-215

Page 1 of 1

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Examiner Cite Initials No.1		Name of Patentee or Applicant of Cited Document		Kind Code <sup>2</sup> Number (if known)				Pages, Columns, Lines, where relevant passages of relevant figures appear	
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	<u> </u>	OTHER PRIOR ART. N	CNDA	TENT	TED ATU	DE DOCUME	NEC		
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initials*	INO.	volume-issue number(s), publisher, city and/or country where published  EPO Search Report, dated August 25, 2003, for EPO Appln. No. EP 01 30 0244							

Date Considered